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9 *Attorneys for Plaintiff GEORGE GONZALEZ*

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13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**
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17 GEORGE GONZALEZ,

18 Plaintiff,

19 vs.

20 STATE OF CALIFORNIA; CITY OF
HEMET; PATRICK SOBASZEK;
21 ANDREW REYNOSO; SEAN
IRICK; and DOES 1-10, inclusive,

22 Defendants.

23 Case No.: 5:25-CV-00331-KK-DTB

24 *[Honorable Kenly Kiya Kato]*
Magistrate Judge David T. Bristow

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26 **PLAINTIFF'S OPPOSITION TO**
DEFENDANTS' EX PARTE
APPLICATION FOR
MODIFICATION OF
SCHEDULING ORDER AND
TRIAL CONTINUANCE

1 PLAINTIFF'S OPPOSITION TO DEFENDANTS' EX PARTE APPLICATION

2 This is a federal civil rights action involving an officer-involved shooting
3 where multiple officers from various public agencies filed indiscriminately at
4 Plaintiff, including when he was incapacitated and on the ground. Defendants have
5 filed this *ex parte* application to modify the scheduling order to, among other things,
6 complete more discovery they could have completed months ago. Plaintiff is
7 sympathetic to defense counsel's upcoming maternity leave and, for that reason,
8 agreed and continues to agree to a continuance of the trial date to a mutually
9 agreeable time. In fact, just days before the instant application was filed, Plaintiff
10 provided a draft stipulation with proposed dates and invited further conference on
11 acceptable dates. Defendants ignored Plaintiff's draft stipulation without further
12 comment, choosing instead to file this unwarranted application.

13 Defendants also contend they require additional time to complete fact
14 discovery. Plaintiff agrees only to the extent any extension will permit Defendants
15 to take Plaintiff's deposition in custody and give the parties an opportunity to
16 resolve any ongoing disputes regarding already propounded discovery. Plaintiff
17 believes discovery responses to be served today will address the ongoing disputes.

18 Any further extension of the discovery cut-off is, however, unwarranted. This
19 Court issued its scheduling order on May 9, 2025, setting a discovery cut-off of
20 November 20, 2025. The deadline to propound discovery other than setting
21 depositions was October 6, 2025. Plaintiff will complete discovery within the
22 allotted time. Defendants offer no persuasive justification for their failure to do so.

23 As set forth above, Plaintiff agrees with an extension of the cut-off *only to*
24 *permit Plaintiff's deposition and allow for time to resolve existing disputes based on*
25 *already propounded discovery*. Plaintiff further agrees to accommodate Defense
26 counsel's maternity leave. Thus, Plaintiff opposes Defendants' motion to extend
27 any dates other than those necessary to complete Plaintiff's deposition. Plaintiff
28 agrees to continue the trial date to a mutually agreeable date for all parties and the

1 Court. Plaintiff proposes August 18, 2026, or August 25, 2026 as those are the only
2 dates available for all Plaintiff's trial counsel.

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4 DATED: November 6, 2025

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6 By: /s/ *Trenton C. Packer*

7 Dale K. Galipo

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10 *Attorneys for Plaintiff*

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